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Birdwell Janke Durando Fax:5032282635

Sep 19 2003 13:29 P.08

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**POWER OF ATTORNEY**

Docket No.

P 6121.62023

Name of Applicant: **ARTUR G. OLSZAK CHEN LIANG MICHAEL R. DESCOUR**  
 Address of Applicant: **Tucson, Arizona USA Tucson, Arizona USA Tucson, Arizona USA**

Title: **MULTI-MODE SCANNING IMAGING SYSTEM**

Serial No., if Any:

Filed:

**TO THE COMMISSIONER FOR PATENTS**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Honorable Sir:

I hereby appoint:

**BIRDWELL, JANKE & DURANDO, PLC**  
**1100 SW Sixth Avenue, Suite 1400**  
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**William A. Birdwell, Reg. No. 27,181**  
**Garth Janke, Reg. No. 40,662**  
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**Antonio R. Durando, Reg. No. 28,409**  
**Gavin J. Milczarek-Dean, Reg. No. 45,801**

as principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all future correspondence to:

**William A. Birdwell**  
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By:



**Michael R. Descour, President**  
**DMetrix, Inc.**

Dated: September 19, 2003

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Docket No.  
P 6121.62023**Declaration For Patent Application****English Language Declaration****As a below named inventor, I hereby declare that:****My residence, post office address and citizenship are as stated below next to my name.****I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled****MULTI-MODE SCANNING IMAGING SYSTEM****the specification of which****(check one)** **is attached hereto.** **was filed on \_\_\_\_\_ as United States Application No. or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)****I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.****I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior applications and the national or PCT international filing date of the continuation-in-part application.****I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.****Prior Foreign Application(s)****Priority Not Claimed**

<b>(Number)</b>	<b>(Country)</b>	<b>(Day/Month/Year Filed)</b>	<input type="checkbox"/>
<b>(Number)</b>	<b>(Country)</b>	<b>(Day/Month/Year Filed)</b>	<input type="checkbox"/>
<b>(Number)</b>	<b>(Country)</b>	<b>(Day/Month/Year Filed)</b>	<input type="checkbox"/>

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I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

<u>60/413,399</u>	<u>September 23, 2002</u>
(Application Serial No.)	(Filing Date)
<u>                        </u>	<u>                        </u>
(Application Serial No.)	(Filing Date)
<u>                        </u>	<u>                        </u>
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 385(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u>                        </u>	<u>                        </u>	<u>                        </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
<u>                        </u>	<u>                        </u>	<u>                        </u>
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

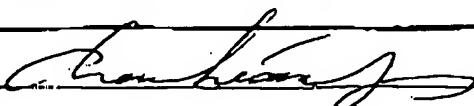
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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